

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

WILLIAM G. CLOWDIS, JR., M.D.,

Plaintiff,

v.

Civil Action No. 3:15-cv-128

JOEL JEREMY SILVERMAN, M.D.,
et al.,

Defendants.

ORDER

For the reasons set forth in the accompanying Memorandum Opinion, it is hereby ORDERED that the Commonwealth Defendants' THIRD AMENDED MOTION TO DISMISS (ECF No. 106); RENEWAL AND SUPPLEMENTATION OF MOTIONS TO DISMISS BY DEFENDANTS JOEL JEREMY SILVERMAN, M.D.; MCV ASSOCIATED PHYSICIANS; AND VIRGINIA COMMONWEALTH UNIVERSITY HEALTH SYSTEM AUTHORITY (ECF No. 108); and SECOND RENEWAL AND SUPPLEMENTATION OF MOTIONS TO DISMISS BY DEFENDANTS JOEL JEREMY SILVERMAN, M.D.; MCV ASSOCIATED PHYSICIANS; AND VIRGINIA COMMONWEALTH UNIVERSITY HEALTH SYSTEM AUTHORITY (ECF No. 129) are granted in their entirety.

Furthermore, it is hereby ORDERED that:

(1) PLAINTIFF WILLIAM G. CLOWDIS, JR., MD'S MOTION TO STAY PROCEEDINGS PENDING THE OUTCOME OF HIS PETITION FOR CERTIORARI TO THE UNITED STATES SUPREME COURT REGARDING HIS STATE AGENCY APPEAL (ECF No. 105) is denied as moot because Plaintiff has informed the Court that his petition for certiorari was denied (ECF No. 121); and

(2) PLAINTIFF WILLIAM G. CLOWDIS. JR., MD'S MOTION TO STAY PROCEEDINGS PENDING THE OUTCOME OF HIS PETITION FOR CERTIORARI TO THE UNITED STATES SUPREME COURT REGARDING HIS STATE AGENCY APPEAL (ECF No. 111) is denied as moot because Plaintiff has informed the Court that his petition for certiorari was denied (ECF No. 121); and

(3) PLAINTIFF WILLIAM G. CLOWDIS. JR., MD'S MOTION TO REINSTATE HIS DAMAGE CLAIMS I THROUGH IX, INCLUDING HIS REFERENCED DAMAGE CLAIM ALLEGATIONS THERETO CONTAINED IN COUNT X (ECF No. 112) is denied for the reasons set forth in the accompanying Memorandum Opinion and the decision by the Fourth Circuit in Clowdis v. Silverman, 666 Fed. Appx. 267 (4th Cir. 2016); and

(4) PLAINTIFF WILLIAM G. CLOWDIS. JR., MD'S MOTION FOR THIS COURT TO HAVE THE CLERK FILE HIS ORIGINAL EXHIBIT A TO HIS ORIGINAL COMPLAINT WITH AN EFFECTIVE FILING DATE OF MARCH 03, 2015 (ECF No. 116) is denied as moot; and

(5) PLAINTIFF WILLIAM G. CLOWDIS. JR., MD'S MOTION FOR LEAVE OF COURT TO HAVE THE CLERK PROVIDE A NEW SUMMONS FOR SERVICE BY THE U.S. MARSHAL TO THE VCU DEFENDANTS (ECF No. 117) is denied as moot; and

(6) PLAINTIFF WILLIAM G. CLOWDIS. JR., MD'S NOTICE OF MOTION AND MOTION TO VACATE JUDGMENTS FOR FRAUD ON THE COURT (ECF No. 122) is denied for lack of jurisdiction because the MOTION asks the Court to review and vacate state court judgments; and

(7) DEFENDANTS JOEL JEREMY SILVERMAN, M.D., MCV ASSOCIATED PHYSICIANS AND VIRGINIA COMMONWEALTH UNIVERSITY HEALTH SYSTEM AUTHORITY'S MOTION TO JOIN THE COMMONWEALTH DEFENDANTS' RESPONSE TO PLAINTIFF'S RULE 60 MOTION (ECF No. 127) is denied as moot; and

(8) PLAINTIFF WILLIAM G. CLOWDIS, JR., MD'S MOTION FOR EXTENSION OF TIME TO REPLY TO THE UNSERVED COMMONWEALTH DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION TO AMEND, SUPPLEMENT, AND FILE HIS COMPLAINT (ECF No. 139) is denied as moot; and

(9) PLAINTIFF WILLIAM G. CLOWDIS, JR., MD'S MOTION TO ACCORD FULL FAITH AND CREDIT TO COLORADO JUDGMENTS AND TO DECLARE VOID AND VACATE THE VIRGINIA ORDERS FOR LACK OF SUBJECT MATTER JURISDICTION (ECF No. 143) is denied for lack of jurisdiction because the MOTION asks the Court to review and vacate state court decisions.

Furthermore, having considered PLAINTIFF WILLIAM G. CLOWDIS, JR., MD'S MOTION TO AMEND AND SUPPLEMENT HIS COMPLAINT, ADD AND REINSTATE NAMED DEFENDANTS, CORRECT MISNOMERS, REINSTATE HIS CONSOLIDATED DAMAGES CLAIMS, AND SERVE IT UPON DEFENDANTS (ECF No. 132), and the supporting and opposing memoranda thereto, it is hereby ORDERED that this MOTION (ECF No. 132) is denied as futile and prejudicial to the Defendants. The Court finds that the Plaintiff has had three previous opportunities to amend his Complaint, that the claims are barred as set forth in the accompanying Memorandum Opinion and the Fourth Circuit's decision in Clowdis v. Silverman,

666 Fed. Appx. 267 (4th Cir. 2016), and that the Defendants would be prejudiced by having to respond to Clowdis' THIRD AMENDED COMPLAINT.

The Plaintiff is advised that he shall not file anything further in this case that contravenes the accompanying Memorandum Opinion, the Fourth Circuit's decision in Clowdis v. Silverman, 666 Fed. Appx. 267 (4th Cir. 2016), or this ORDER.

The Court dispenses with oral argument because the facts and legal conclusions are adequately presented in the materials and oral argument would not aid in the decisional process.

Any appeal from this decision must be taken by filing a written notice of appeal with the Clerk of the Court within thirty (30) days of the date of entry hereof. Failure to file a timely notice of appeal may result in the loss of the right to appeal.

The Clerk is directed to send a copy of this Order to the Plaintiff.

It is so ORDERED.

_____/s/ REP_____
Robert E. Payne
Senior United States District Judge

Richmond, Virginia
Date: March 28, 2019